

**Subpart 239.74—Telecommunications Services**

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AUTHORITY: 41 U.S.C. 421 and 48 CFR chapter 1.

SOURCE: 56 FR 36429, July 31, 1991, unless otherwise noted.

**Subpart 239.1—General**

**239.101 Policy.**

See Subpart 208.74 when acquiring commercial software or software maintenance. See 227.7202 for policy on the acquisition of commercial computer software and commercial computer software documentation.

[67 FR 65512, Oct. 25, 2002, as amended at 74 FR 34270, July 15, 2009]

**Subpart 239.70—Exchange or Sale of Information Technology**

**239.7001 Policy.**

Agencies shall follow the procedures in DoD 4140.1-R, DoD Supply Chain Materiel Management Regulation, Chapter 9, Section C9.5, when considering the exchange or sale of Government-owned information technology.

[71 FR 39010, July 11, 2006]

**Subpart 239.71—Security and Privacy for Computer Systems**

SOURCE: 69 FR 35534, June 25, 2004, unless otherwise noted.

**239.7100 Scope of subpart.**

This subpart includes information assurance and Privacy Act considerations. Information assurance requirements are in addition to provisions

concerning protection of privacy of individuals (see FAR Subpart 24.1).

**239.7101 Definition.**

*Information assurance*, as used in this subpart, means measures that protect and defend information, that is entered, processed, transmitted, stored, retrieved, displayed, or destroyed, and information systems, by ensuring their availability, integrity, authentication, confidentiality, and non-repudiation. This includes providing for the restoration of information systems by incorporating protection, detection, and reaction capabilities.

**239.7102 Policy and responsibilities.**

**239.7102-1 General.**

(a) Agencies shall ensure that information assurance is provided for information technology in accordance with current policies, procedures, and statutes, to include—

- (1) The National Security Act;
- (2) The Clinger-Cohen Act;
- (3) National Security Telecommunications and Information Systems Security Policy No. 11;
- (4) Federal Information Processing Standards;
- (5) DoD Directive 8500.1, Information Assurance;
- (6) DoD Instruction 8500.2, Information Assurance Implementation;
- (7) DoD Directive 8570.01, Information Assurance Training, Certification, and Workforce Management; and
- (8) DoD Manual 8570.01-M, Information Assurance Workforce Improvement Program.

(b) For all acquisitions, the requiring activity is responsible for providing to the contracting officer—

- (1) Statements of work, specifications, or statements of objectives that meet information assurance requirements as specified in paragraph (a) of this subsection;
- (2) Inspection and acceptance contract requirements; and
- (3) A determination as to whether the information technology requires protection against compromising emanations.

[69 FR 35534, June 25, 2004, as amended at 73 FR 1829, Jan. 10, 2008; 75 FR 34946, June 21, 2010]